

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated March 9, 2007 (hereinafter Office Action) have been considered. Claims 1-4 and 6-94 remain pending in the application. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Claims 1, 3, 4-8, 13, 14, 16, 17, 19, 20, 23, 39, 41, 48-51, 59, 73, 75, 79-82, 85, 86, 90, 92 and 93 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,973,350 to Levine et al. (hereinafter "Levine"). Claims 1, 3, 4, 6-9, 13, 14, 16, 17, 19-25, 59, 60-62, 64, 66, 73, 75, 78-85, 90 and 94 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,431,693 to Schroepfel (hereinafter "Schroepfel") in view of Levine. Claims 1, 3, 4, 6-9, 12, 16, 17, 19, 20, 22, 23, 39, 41-44, 46-49, 50, 51, 73-76, 78-83, 85, 86, 87, 89, 90, 92 and 93 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,027,868 to Rueter et al. (hereinafter "Rueter") in view of Levine.

Claims 18, 36, 38, 56, 58, 63, 65, 70 and 88 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicant thanks the Examiner for indication of the allowable subject matter.

Without acquiescing to the Examiner's assertion that the asserted references anticipate or render the rejected claims obvious, to expedite allowance of the application, Applicant has amended the independent claims to include allowable subject matter. Independent claims 1, 59, 90, and 94 have been amended to include allowable subject matter of claim 88. Independent claims 39 and 92 have been amended to include allowable subject matter of claim 56. Claims 56 and 88 have been cancelled. All claims are now in condition for allowance.

Claims 1-4, 6-17, 19-35, 37, 39-55, 57, 59-62, 64, 66-69, 71-87 and 89-94 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 7-9, 16 and 17 and claims 4, 5, 7-10, 15, 16, 19-21 and 29-31, and claims 24-34, 38, 41, 56 and 61 and claims 1-61 of co-pending application no. 11/180,937, 11/116,565, 10/735,519, 10/734,599, respectively.

Applicant respectfully asserts that, in view of the amendments and arguments made above, the Examiner is compelled to withdraw the substantive art rejections of the claims. Once withdrawn, the only rejection remaining in the subject application is the provisional obviousness-type double patenting rejection.

Pursuant to MPEP § 804 I(B), Applicant respectfully requests that the provisional obviousness-type double patenting rejection be withdrawn and that the subject application be permitted to issue as a patent.

It is to be understood that Applicant does not acquiesce to Examiner's characterization of the asserted art or Applicant's claimed subject matter, nor of the Examiner's application of the asserted art or combinations thereof to Applicant's claimed subject matter. Moreover, Applicant does not acquiesce to the Examiner's statements or conclusions concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, common knowledge at the time of Applicant's invention, officially noticed facts, and the like. Applicant reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

Authorization is given to charge Deposit Account No. 50-3581 (GUID.045PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the Examiner is invited to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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